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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1003 OF 2026

Shree Chanakya Education Society & Anr. ...Petitioners

Versus

State of Maharashtra, Through Principal ...Respondents
Secretary, School Education and Sports Dept.,
and Ors.

Mr. Janay Jain and Ms Tamanna Meghrajani i/b. Parinam Law Associates for the Petitioners.

Shri O.A. Chandwadkar, Addl. G.P. with Smt. G.R. Raghuwanshi, AGP for Respondent No.1, 2, 5 and 6 – State.

CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.
DATE : 11TH FEBRUARY, 2026.

ORDER :

1. Heard Mr. Jain, the learned Advocate for the Petitioners and learned AGP appearing for the Respondent – State.

2. The Petitioners by this present Writ Petition have sought direction to Respondent Nos.1 to 3 to disburse to Petitioner No.2 the said amount towards reimbursement claimed by it under Section 12 of the RTE Act for the academic years from 2012-13 till 2023- 24

within such period from the date of passing of the Order as this court may deem appropriate.

3. The learned AGP appearing for the Respondent – State has referred to prior Orders passed by this Court, including the order dated 10th June, 2025 passed in Writ Petition No.6128 of 2025, wherein the Division Bench of this Court had considered similar prayer of Petitioner – Institution for reimbursement of fees for students admitted against the quota of 25% as per the provisions of the RTE Act. The Division Bench of this Court had directed the authorities to scrutinize the proposal of reimbursement to the Petitioner – Institution and in the event they are found to be entitled to the said amount, the same shall be reimbursed to them.

4. The learned AGP for the Respondent – State has stated on instructions that the proposal of the Petitioner No.2 for the reimbursement of the said amount claimed by them under Section 12 of the RTE Act for the academic years from 2012 – 13 till 2023 – 24 will be scrutinized by the Respondent – State within a period of eight weeks from today and if the Petitioner – Institution is found to be entitled to the said amount, the same shall be reimbursed to them.

The statement is accepted.

5. Accordingly, the Respondent – State shall scrutinize the aforementioned proposal of the Petitioners for reimbursement and if the Petitioner No.2 is found entitled to the said amount, the same shall be reimbursed to them. However, in the event, they are not found to be entitled, then they shall be communicated the reasons of their non-entitlement for the said amount they are claiming. This exercise shall be carried out within a period of eight weeks.

6. Needless to state that, if the Petitioners are aggrieved in the event of a decision taken by the Respondent – State of total denial or partial denial of reimbursement of the amount claimed by them, it is open for the Petitioners to take such action as permissible in law.

7. We have not expressed opinion on the merits of the case.

8. The Writ Petition is accordingly disposed of in the aforesaid terms. There shall be no order as to costs.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]